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REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated March 9, 2004, Claims 1-21 are pending in the application. Applicants respectfully request the Examiner to reconsider the rejections.

Claims 15-17 and 19, stand rejected under 35 U.S.C. 103(a), as being unpatentable over *Matthews* (US 2002/0049055) in view of *Wright* (6,621,801). Applicants have amended claim 15 to clarify that the individual resource cells may correspond to more than one transponder node so that signals generated from the transponder nodes are coherently added together at the first user.

The *Matthews* reference is directed to a system and technique for switch over of a communication system from a first aircraft 12 to a second aircraft 14. At some point, both aircraft have signals directed to individual cells as is pointed to by the Examiner in Fig. 2. The same frequencies are used by each of the planes so that one plane may take over from the second plane. The amplitude is slowly increased as described in paragraph 22. Only one signal from one of the planes is used at a time. That is, when the user receives two signals, the weaker signal is deemed a multi-path signal and ignored. At some point, the signal from the second airplane increases, and the signal from the first plane decreases, and a change or switch over occurs. The two signals are not added together and thus the signals are not coherently added together as is recited in claim 15. Basis for this addition occur on pages 12 and 13 which describe the coherent addition in the signals. This can also be seen as is illustrated by the resource cells shown in Fig. 13. As is shown, boxes A, E and F illustrate more than one platform using the same code. In such a situation, the same code is radiated by the same platform and thus will be coherently added together by the user terminal.

Applicants therefore respectfully request the Examiner to reconsider the rejection of claim 15. Likewise, claims 16, 17 and 19 are dependent from amended claim 15 and are also believed to be allowable for the same reasons set forth above.

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Claims 18 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Matthews* in view of *Wright* as applied to claims 15-17 and 19 above, in further view of *Tuck* (5,584,047). Claims 18 and 20 depend from claim amended claim 15 and are also believed to be allowable for the same reasons set forth above. That is, the *Tuck* reference does not teach or suggest the missing elements of amended claim 15.

Claim 21 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Matthews* in view of *Wright* as applied to claims 15-17 and 19 above, and in further view of *Moerder* (6,674,730). The *Moerder* reference also does not teach or suggest the elements missing from claim 15 described above. Applicants therefore respectfully request the Examiner for reconsideration.

Claim 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Matthews* in view of *Wright* as applied to claims 15-17 and 19 above, and in further view of *Wright* (6,507,926). The *Wright* '926 patent does not teach or suggest the missing elements of claim 15 above. Applicants therefore respectfully request the Examiner for reconsideration of claim 22.

Claims 1, 3, 5, 7, 9-11, and 13-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Matthews* in view of *Ketterling* (EP182027) and in further view of *Wright* (6,621,801). Applicants have canceled claim 1 and rewritten claim 2 in independent form. Claim 9 has been amended. Both claims 9 and 2 describe coherently receiving signals from one transponder node. Applicants respectfully submit that the *Matthews* reference does not teach or suggest such a limitation as described above with respect to the rejection of claim 15. Applicants also submit that neither the *Ketterling* nor the *Wright* reference teaches or suggests such limitations. Applicants therefore respectfully request the Examiner to reconsider the rejection of claims 2 and 9 as well as dependent claims 3, 5, 7, 10-11, and 13-14.

Claims 6, 8 and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Matthews* in view of *Ketterling* in further view of *Wright* as applied to claims 1, 3, 5, 7, 9-11, and 13-14 above, and in further view of *Tuck*. Applicants respectfully submit

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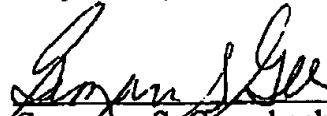
that the *Tuck* reference does not teach or suggest the elements missing from amended claims 2 and 9. Therefore, applicants respectfully request the Examiner for reconsideration of this rejection as well.

The *Moerder* reference is a method and apparatus for time synchronization in a communications system. No teaching or suggestion is provided for more than one transponding node to communicate signals such that they are coherently added at the user terminal. Applicants therefore respectfully request the Examiner for reconsideration of claim 2 as rewritten in independent form.

Claim 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Matthews* in view of *Ketterling* in further view of *Wright* (6,507,926). Applicants have amended claim 4 to be dependent ultimately from claim 2. The *Wright* '926 reference does not teach or suggest the elements missing from the rejection of claims 1 and 9. Applicants therefore respectfully request the Examiner for reconsideration of this rejection as well.

In view of the preceding remarks and changes, it is respectfully submitted that all of the claims presently pending in this application are allowable. Therefore, entry and consideration of this response, reconsideration of the rejections, and allowance are respectfully requested. If the Examiner feels that a telephone interview will advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney at the below-listed number.

Respectfully submitted,



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Date: May 25, 2004
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